

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JANET F. RAEL,

Plaintiff,

v.

Civ. No. 21-252 GBW

KILOLO KIJAKAZI, *Acting Commissioner
of the Social Security Administration,*

Defendant.

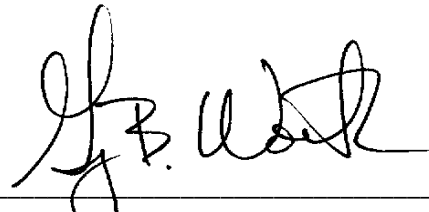
ORDER GRANTING STIPULATED ATTORNEY FEES

THIS MATTER comes before the Court on Plaintiff's Stipulated Motion for Award of Attorney Fees Under the Equal Access to Justice Act. *Doc.* 32. The parties have stipulated to an award of \$5,689.80 in attorney fees to Plaintiff pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 (EAJA).

IT IS HEREBY ORDERED that Plaintiff is awarded \$5,689.80 in attorney fees under the EAJA. The EAJA fees will be paid to Plaintiff but delivered to Plaintiff's attorney. *See Astrue v. Ratliff*, 560 U.S. 586, 595–98 (2010); *Manning v. Astrue*, 510 F.3d 1246, 1255 (10th Cir. 2007); *Brown v. Astrue*, 271 F. App'x 741, 743–44 (10th Cir. 2008) (unpublished).

IT IS FURTHER ORDERED that, if Plaintiff's attorney ultimately receives an award of attorney fees pursuant to 42 U.S.C. § 406(b), said attorney must refund the

smaller award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

A handwritten signature in black ink, appearing to read 'G.B. Wormuth', written over a horizontal line.

GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE
Presiding by Consent